

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIENAN C. DIETRICH,

Defendant.

4:13CR3087

ORDER

This matter is before the Court on the defendant's motion to file notice of appeal out of time, Filing No. 95. The deadline to file an appeal in this matter was April 13, 2015. Dietrich's counsel represents that Dietrich did not request he file an appeal until April 14, 2015, due to the timing of his prison mail process. The Court finds defendant has stated a justifiable and good cause for the delay. Upon consideration,

IT IS ORDERED:

1. The defendant's motion, Filing No. 95, will be granted, as good cause has been show as required by Fed. R. App. P. 4(b)(4).
2. The defendant shall file his notice of appeal immediately.

Dated this 14th day of April, 2015

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge